

Mar 11, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JOHN SLATER,

Defendant.

No. 2:19-CR-00215-TOR-5

ORDER FOLLOWING DETENTION  
REVIEW HEARING

**MOTION DENIED**  
**(ECF No. 145)**

At Defendant's March 11, 2020, detention review hearing, Defendant was present, in custody, with Attorney Stephen Hormel. Assistant U.S. Attorney Ann Wick appeared for the United States. To date, there have been no previous contested detention hearings in this matter.

The Court has considered the Pretrial Services report at **ECF No. 101** and Defendant's motion to reconsider, **ECF No. 145**, and the argument of counsel.

As a threshold matter, Defendant must proffer information not previously known to Defendant or his counsel, amounting to a material change in the circumstances considered at the prior detention determination. 18 U.S.C. 3142(f). Defendant argues that in-patient substance abuse treatment now being available to Defendant meets this requirement.

The United States argued that Defendant's criminal history including some thirty-five warrants issued for failure to appear or comply establishes that no conditions will reasonably assure Defendant's appearance or the safety of the community.

1 Defendant argues that his troubles ultimately trace to substance abuse and  
2 addiction, and that the proposed treatment is an opportunity to address the driving  
3 force behind his criminal activity.

4 The Court further notes that Defendant was arrested on the instant matter  
5 while he was participating in the “DOSA” substance abuse treatment program  
6 under the supervision of the state court.

7 The Court finds that in the context of the other facts and circumstances of  
8 this case, the availability of inpatient treatment is not a “material factor,” and  
9 therefore, **IT IS ORDERED**, Defendant’s motion, **ECF No. 145**, is **DENIED**.  
10 Defendant is remanded to the custody of the U.S. Marshal and shall remain in  
11 detention pending disposition of this case or until further order of the court.

12 **IT IS SO ORDERED.**

13 DATED March 11, 2020.



A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE